

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

IN RE:

MERCY HOSPITAL, IOWA CITY,  
IOWA, *et al.*,

Debtors

Chapter 11

Bankruptcy No. 23-00623

Jointly Administered

**PROCEEDING MEMO AND ORDER**

Date of In-Court Hearings: October 23, 2024

Hearing on: Attorney Fee Applications and Motion to Reduce Fees

APPEARANCES:

Attorney Roy Ryan Leaf for Mercy Hospital, Iowa City, Iowa, *et al.*

Attorney Daniel M. Simon for Mercy Hospital, Iowa City, Iowa, *et al.*

Attorney Felicia Gerber Perlman for Mercy Hospital, Iowa City, Iowa, *et al.*

Attorney Claire Davison for the United States Trustee

Attorney Janet G. Reasoner for the United States Trustee

Attorney Anupama Yerramelli for ToneyKorf Partners, LLP

Attorney Austin Pieffer for Fifth Third Securities, Inc.

Attorney Paula L. Roby for Official Committee of Pensioners and in her capacity  
as a member of the Trust Oversight Committee

Alex Warso as consulting director for Epiq Corporate Restructuring, LLC's

TELEPHONIC APPEARANCE:

Attorney Peter Chalik for Preston Hollow Community Capital Inc., as Bondholder  
Representative

OUTCOME OF PROCEEDING:

1. First Application on Fifth Third Securities, Inc. (F.K.A. H2C Securities, Inc.)  
as Investment Banker to the Debtors for Allowance of Compensation for  
Services Rendered and for Reimbursement of Actual and Necessary Expenses  
Incurred from February 1, 2024 to and Including June 24, Related to Joint

Venture Sale Transactions **(Doc. 1209)**; and Order (I) Approving and Allowing Compensation for Services Rendered and for Reimbursements of Actual and Necessary Expenses Incurred by Fifth Third Securities, Inc. from February 1, 2024 to and Including June 24, 2024 Related to the Sale Transaction **(Doc. 1247)**.

**Status:** The Order **(Doc. 1247)** entered on September 10, 2024, stands.

2. Epiq Corporate Restructuring, LLC's Final Application for Compensation **(Doc. 1220)**.

**Status:** Epiq Corporate Restructuring, LLC's fees are APPROVED.

3. Combined Final Fee Application of ToneyKorf Partners, LLC as Interim Management of the Debtors, for Allowance of (I) Compensation for Professional Services Rendered and Reimbursement of Expenses Incurred for the Period from August 7, 2023, through and Including June 24, 2024, and (II) Success Fee **(Doc. 1222)**; and Agreed Order on ToneyKorf Partners, LLC's Final Fee Application **(Doc. 1249)**.

**Status:** The Agreed Order on ToneyKorf Partners, LLC's Final Fee Application stands as entered on September 13, 2024.

4. First and Final Fee Application of Nyemaster Goode, P.C., Counsel to Debtors and Debtors-in-Possession, for Final Allowance of Compensation and Reimbursement for Expenses for the Period of August 7, 2023, through July 31, 2024 **(Doc. 1212)**.

**Status:** Fees are yet to be determined unless counsel provide an order stating how the fees are going to be determined.


The Court takes the following matters under advisement:

5. Eleventh Monthly and Final Fee Application of McDermott Will & Emery, LLP, Counsel to Debtors and Debtors-in-Possession, for Allowance of Compensation and Reimbursement of Expenses **(Doc. 1224)**.
6. Ad Hoc Committee of Pensioners' Motion to Reduce Fees **(Doc. 1260)**.
7. Liquidating Trust Oversight Committee's Joinder in Motion to Reduce Fees **(Doc. 1261)**.

**IT IS ORDERED THAT:**

Simultaneous Briefs are due on or before November 6, 2024.

Ordered:  
October 25, 2024

  
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Thad J. Collins  
Chief Bankruptcy Judge